

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

EIGHTH MEETING

THURSDAY, AUGUST 19, 2021

Commissioners present: Narsi A. Ganaban, Interim Chairperson
Malama Minn, Co-Vice Chairperson
Darren T. Lee, Co-Vice Chairperson
Duane R. Miyashiro, Member

Staff present: Franklin Don Pacarro, Jr., Administrator
Anna C. Hirai, Assistant Administrator
Peter H. Nakagawa, Chief Investigator [remote]
Daniel Sato, Supervising Liquor
Control Investigator – Licensing [remote]
Catherine Fontaine, Supervising Liquor Control
Investigator – Enforcement
Gloria C. Takara, Hearings Reporter
Denise W. M. Wong, Deputy
Corporation Counsel (Advisory)
Page C. K. Ogata, Deputy Corporation
Counsel (Adjudicatory)

The meeting was called to order at 4:02 p.m. by the Interim Chairwoman in the hearings room of the Liquor Commission.

CALL TO ORDER:

[4:02:06 p.m.] [bangs gavel]

APPROVAL OF MINUTES:

[4:02:12 p.m.]

The regular minutes of the 1st (7/1/21) and 3rd (7/15/21) meetings, and the regular and executive session minutes of the 47th (6/10/21) meeting, as previously circulated, to be approved by the Commission.

[4:02:14 p.m.]

[It was moved by Minn and seconded by Lee that the regular minutes of the 1st (7/1/21) and 3rd (7/15/21) meetings, and the regular and executive session minutes of the 47th (6/10/21) meeting, as previously circulated, be approved by the Commission. Motion was unanimously carried, 4:0.]

PUBLIC HEARINGS:

[4:02:40 p.m.]

- | | |
|--|---|
| 1. Trans. Appl. No. 21-22882
from Hawaii Best Seafood
Restaurant Inc., dba Cajun
King | For the transfer of the business and
Restaurant General license
(Category No. 1 – Standard Bar) of
Cajun King Inc., dba Cajun King,
98-020 Kamehameha Highway, Aiea
(R0938) (Prelim. Hrg. 7/29/21) |
|--|---|

Appearing on behalf of the applicant corporation in this matter was its authorized representative, Ms. Lisa Kato.

[4:03:29 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Transfer Application No. 21-22882 from Hawaii Best Seafood Restaurant Inc. be closed and that said application be granted, subject to final inspection and filing of the proper documents. Motion was unanimously carried, 4:0.]

PUBLIC HEARINGS: (CONT.)

[4:03:48 p.m.]

2. Trans. Appl. No. 21-22361
from PLC-KBH
Management Company,
LLC, dba Kaimana Beach
Hotel

For the transfer of the business and
Hotel General license of Hotel
Kaimana, Inc., dba The New Otani
Kaimana Beach Hotel,
2863 Kalakaua Avenue, and for a
change of trade name to Kaimana
Beach Hotel (L0031)
(Prelim. Hrg. 7/29/21)

Appearing on behalf of the applicant limited liability company in this matter was
its attorney, Ms. Christina Ohira; and its managing member, Mr. Jonathan McManus.

[4:04:50 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Transfer
Application No. 21-22361 from PLC-KBH Management Company, LLC, be closed and
that said application be granted, subject to final inspection and filing of the proper
documents. Motion was unanimously carried, 4:0.]

[4:05:12 p.m.]

3. Appl. No. 21-22022 from
D/R Coffee Inc., dba
The Curb Kaimuki,
3408 Waialae Avenue,
Suite 103

For a Dispenser General license
(Category No. 3 - Live entertainment
or Recorded Music and Dancing)
(Prelim. Hrg. 6/24/21)

Appearing on behalf of the applicant corporation in this matter was its vice
president, Mr. Ross Uehara-Tilton.

[4:05:49 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on
Application No. 21-22022 from D/R Coffee Inc. be continued to Thursday, September 2,
2021, public hearing kept open. Motion was unanimously carried, 4:0.]

PUBLIC HEARINGS: (CONT.)

[4:06:22 p.m.]

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|--|--|
| 4. Appl. No. 21-23052 from
Magoo's Pizza & Bar
Honolulu LLC, dba
Magoo's Pizza & Bar
Honolulu LLC,
3579 Waialae Avenue,
Unit C | For a Restaurant General license
(Category No. 2 - Live entertainment
or Recorded Music and Dancing)
(Prelim. Hrg. 6/24/21) |
|--|--|

Appearing on behalf of the applicant limited liability company in this matter was its attorney, Mr. Neal Gota; and its manager, Mr. Malen Gage.

[4:07:27 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Application No. 21-23052 from Magoo's Pizza & Bar Honolulu LLC be closed and that said application be granted, subject to final inspection and filing of the proper documents. Motion was unanimously carried, 4:0.]

[4:07:46 p.m.]

- | | |
|---|---|
| 5. Appl. No. 21-22905 from
Paradise Ciders LLC, dba
Paradise Ciders,
2003 Colburn Street | For a Change of Class, Kind, and
Category from a Manufacturer Wine
license to a Small Craft Producer
General license (Category No. 2 -
Live entertainment or Recorded
Music and Dancing) (A0021)
(Prelim. Hrg. 6/24/21) |
|---|---|

Appearing on behalf of the applicant limited liability company in this matter was its member, Mr. Kasey Sulheim.

[4:08:27 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Application No. 21-22905 from Paradise Ciders LLC be closed and that said application be granted, subject to final inspection and filing of the proper documents. Motion was unanimously carried, 4:0.]

PUBLIC HEARINGS: (CONT.)

[4:08:50 p.m.]

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| 6. Appl. No. 21-22471 from
Pint Size Hawaii Manager
LLC, dba Pint Size Hawaii,
99-1287 Waiua Place,
Aiea | For a Wholesale General license
(Prelim. Hrg. 6/24/21) |
|--|---|

Appearing on behalf of the applicant limited liability company in this matter was its attorney, Ms. Christina Ohira; and its member, Ms. Sandra Hamada.

[4:15:24 p.m. – 4:15:50 p.m.] Supervising Licensing Investigator Daniel Sato

[4:40:00 p.m. – 5:10:03 p.m.] Executive Session

[It was moved by Minn and seconded by Lee that the Commission recess from regular session and enter into executive session. Motion was unanimously carried, 4:0. Whereupon, the Commissioners and Counsel Wong exited the hearings room.]

[There being no further business in executive session, the Commission adjourned from executive session held in an office of the Liquor Commission and returned to the hearings room to resume proceedings in regular session.]

[5:13:07 p.m. – 5:14:09 p.m.] Supervising Licensing Investigator Daniel Sato

[5:16:17 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Application No. 21-22471 from Pint Size Hawaii Manager LLC be continued to Thursday, September 9, 2021, public hearing kept open. Motion was carried, 3:1; Commissioner Miyashiro dissented.]

[5:17:23 p.m.]

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| 7. Appl. No. 21-23075 from
Skybox Taphouse Inc.,
dba Skybox Taphouse,
2324 Kalakaua Avenue,
Store No. 302 | For a Restaurant General license
(Category No. 2 - Live entertainment
or Recorded Music and Dancing)
(Prelim. Hrg. 6/24/21) |
|---|--|

Appearing on behalf of the applicant corporation in this matter was its attorney, Mr. Keith Suzuka; and its manager, Mr. Alfred Wiltshire.

PUBLIC HEARINGS: (CONT.)

[5:18:21 p.m.]

[It was moved by Minn and seconded by Lee that the public hearing on Application No. 21-23075 from Skybox Taphouse Inc. be closed and that said application be granted, subject to final inspection and filing of the proper documents. Motion was unanimously carried, 4:0.]

LICENSE APPLICATIONS:

Special License Applications:

[5:18:42 p.m.]

- | | |
|--|--|
| 8. Appl. No. 22-23615 from
Bamboo Catering Inc., dba
Bamboo Catering,
94-428 Mokuola Street,
Waipahu | For a Special General license from
5:30 p.m. to 10:30 p.m. on Saturday,
November 27, 2021

(Wedding Reception) |
|--|--|

Appearing on behalf of the applicant corporation in this matter was its authorized representative, Mr. David Webb.

[5:19:35 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23615 from Bamboo Catering Inc. be approved. Motion was unanimously carried, 4:0.]

[5:20:55 p.m.]

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|--|---|
| 9. Appl. No. 22-23616 from
Bamboo Catering Inc., dba
Bamboo Catering,
94-428 Mokuola Street,
Waipahu | For a Special General license from
5:30 p.m. to 10:30 p.m. on Saturday,
December 4, 2021

(Baby Luau) |
|--|---|

Appearing on behalf of the applicant corporation in this matter was its authorized representative, Mr. David Webb.

[5:21:10 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23616 from Bamboo Catering Inc. be approved. Motion was unanimously carried, 4:0.]

LICENSE APPLICATIONS: (CONT.)

Special License Applications: (Cont.)

[5:21:33 p.m.]

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| 10. Appl. No. 22-23617 from
Bamboo Catering Inc., dba
Bamboo Catering,
94-428 Mokuola Street,
Waipahu | For a Special General license from
5:30 p.m. to 10:30 p.m. on Saturday,
December 11, 2021

(Christmas Party) |
|---|--|

Appearing on behalf of the applicant corporation in this matter was its authorized representative, Mr. David Webb.

[5:21:57 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23617 from Bamboo Catering Inc. be approved. Motion was unanimously carried, 4:0.]

[5:22:12 p.m.]

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|---|---|
| 11. Appl. No. 22-23618 from
Bamboo Catering Inc., dba
Bamboo Catering,
94-428 Mokuola Street,
Waipahu | For a Special General license from
5:30 p.m. to 10:30 p.m. on Saturday,
December 18, 2021

(50 th Anniversary Party) |
|---|---|

Appearing on behalf of the applicant corporation in this matter was its authorized representative, Mr. David Webb.

[5:22:24 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23618 from Bamboo Catering Inc. be approved. Motion was unanimously carried, 4:0.]

LICENSE APPLICATIONS: (CONT.)

Special License Applications: (Cont.)

[5:25:48 p.m.]

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| 12. | Appl. No. 22-23620 from
Park Event Services LLC,
dba Park Event Services
LLC, 1 Aloha Tower Drive
(Aloha Tower Marketplace) | For a Special General license from
5:00 p.m. to midnight on Friday,
September 3, 2021

(Sip & Shop Event) |
|-----|---|---|

Appearing on behalf of the applicant limited liability company in this matter was its authorized representatives, Mr. Devon Nekoba and Mr. Emmanuel Zibakalam; and its members, Mr. Raymond Ho, Jr., and Mr. Jason Park.

[5:28:40 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23620 from Park Event Services LLC be approved. Motion was unanimously carried, 4:0.]

[5:29:49 p.m.]

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|-----|---|---|
| 13. | Appl. No. 22-23626 from
Park Event Services LLC,
dba Park Event Services
LLC, 1 Aloha Tower Drive
(Aloha Tower Marketplace) | For a Special General license from
5:00 p.m. to midnight on Saturday,
September 4, 2021

(Alohalaulea Island Music Concert) |
|-----|---|---|

Appearing on behalf of the applicant limited liability company in this matter was its authorized representatives, Mr. Devon Nekoba and Mr. Emmanuel Zibakalam; and its members, Mr. Raymond Ho Jr. and Mr. Jason Park.

[5:32:07 p.m.]

[It was moved by Minn and seconded by Lee that Special License Application No. 22-23626 from Park Event Services LLC be approved. Motion was unanimously carried, 4:0.]

PRELIMINARY HEARINGS:

[5:32:34 p.m.]

14. Trans. Appl. No. 21-23117
from SDB Enterprise LLC,
dba Bourbon Street
Restaurant & Bar

For the transfer of the business and
Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) of New Image Hawaii
Inc., dba The Mandalay,
1055 Alakea Street, and for a
change of trade name to Bourbon
Street Restaurant & Bar (R0763)

Appearing on behalf of the applicant limited liability company in this matter was its attorney, Mr. Keith Kiuchi; and its managing member, Ms. Beverly Chapman.

[5:33:54 p.m.]

[It was moved by Minn and seconded by Lee that the preliminary hearing for Transfer Application No. 21-23117 from SDB Enterprise LLC be closed and that said application be set for public hearing; date to be determined by the Administrator. Motion was unanimously carried, 4:0.]

[5:34:32 p.m.]

15. Appl. No. 21-22834 from
Wellington Productions
LLC, dba The Turn at
Stella's Restaurant & Bar,
94-1211 Kunia Road,
Waipahu

For a Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing)

Appearing on behalf of the applicant limited liability company in this matter was its authorized representative, Mr. Greg Nishioka.

[5:35:53 p.m.]

[It was moved by Minn and seconded by Lee that the preliminary hearing for Application No. 21-22834 from Wellington Productions LLC be closed and that said application be set for public hearing; date to be determined by the Administrator. Motion was unanimously carried, 4:0.]

PRELIMINARY HEARINGS: (CONT.)

[5:36:16 p.m.]

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| 16. Appl. No. 21-23224 from
Olive Kapolei LLC, dba
Olive Garden,
91-5431 Kapolei Parkway,
Suite 200, Kapolei (Ka
Makana Ali'i Mall) | For a Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) |
|--|---|

Appearing on behalf of the applicant limited liability company in this matter was its authorized representatives, Mr. Devon Nekoba and Ms. Shana Yamada.

[At 5:36:34 p.m., Commissioner Lee recused from Item No. 16 and exited the hearings room]

[5:37:50 p.m.]

[It was moved by Minn and seconded by Miyashiro that the preliminary hearing for Application No. 21-23224 from Olive Kapolei LLC be closed and that said application be set for public hearing; date to be determined by the Administrator. Motion was carried, 3:0:1; Commissioner Lee recused.]

[At 5:38:07 p.m., Commissioner Lee re-entered the hearings room]

LICENSE APPLICATIONS: (CONT.)

Caterer License Application:

[5:38:18 p.m.]

17. Request No. 22-23724 from HSI Honolulu Joint Venture Company, dba Inter-Island Terminal, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 300 Rodgers Boulevard, Building 305, Room 217 (R0193)

For a Caterer's license to cater off the licensed premises from 11:00 a.m. to 10:00 p.m. (daily), from August 20, 2021 to November 17, 2021

(Request to accept long-term catering application (90 days) approved on August 12, 2021)

Appearing on behalf of the applicant company in this matter was its attorney, Mr. Robert Ueoka; and its food and beverage manager, Mr. Grant Matsuno.

[5:39:29 p.m.]

[It was moved by Minn and seconded by Miyashiro that Caterer License Application No. 22-23724 from HSI Honolulu Joint Venture Company be approved. Motion was unanimously carried, 4:0.]

REQUESTS:

[5:40:14 p.m.]

18. Request No. 22-23502 from Honolulu Restaurant Solutions, LLC, dba Restaurant Suntory, Restaurant General license (Category No. 1 – Standard Bar), 2233 Kalakaua Avenue, Suite 307 (R0997)

Requesting approval to temporarily increase its licensed premises from 11:30 a.m. to 1:30 p.m. and 5:30 p.m. to 9:30 p.m. (daily) from Friday, August 20, 2021 to Friday, December 31, 2021

(To include outdoor dining area)

Appearing on behalf of the licensee in this matter was its authorized representative, Ms. Laura Masui; and its managing member, Ms. Nobuyuki Aoyama.

[At 5:40:24 p.m., Commissioner Lee recused from Item No. 18 and exited the hearings room]

REQUESTS: (CONT.)

[5:41:46 p.m.]

[It was moved by Minn and seconded by Miyashiro that Request No. 22-23502 from Honolulu Restaurant Solutions, LLC, be approved. Motion was carried, 3:0:1; Commissioner Lee recused.]

[At 5:42:03 p.m., Commissioner Lee re-entered the hearings room]

[5:42:13 p.m.]

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| 19. Request No. 22-23529
from MHW LLC, dba
Merriman's, Restaurant
General license (Category
No. 2 – Live Entertainment
or Recorded Music and
Dancing), 1108 Auahi
Street, Suite 170 (R1308) | Requesting approval to permanently
increase its licensed premises
approximately 160 feet by 15 feet |
|--|---|

Appearing on behalf of the licensee in this matter was its attorney, Mr. Kenneth Hoo; and its general manager, Ms. Tina Giesseman.

[5:43:23 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23529 from MHW LLC be approved. Motion was unanimously carried, 4:0.]

[5:43:41 p.m.]

- | | |
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| 20. Request No. 22-23558
from Sodexo America,
LLC, dba Sodexo America
LLC, Restaurant Beer &
Wine license (Category
No. 1 – Standard Bar),
1337 Lower Campus Road
(University of Hawaii
Baseball Stadium)
(R0592) | Requesting approval to temporarily
increase its licensed premises,
approximately 615 feet by 545 feet,
from 9:00 a.m. on Friday, September
3, 2021 to 9:00 p.m. on Sunday,
September 5, 2021

(To accommodate UH football
games) |
|--|--|

Appearing on behalf of the licensee in this matter was its general manager, Mr. Patrick Baugh.

REQUESTS: (CONT.)

[5:44:44 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23558 from Sodexo America, LLC, be approved. Motion was unanimously carried, 4:0.]

[5:45:07 p.m.]

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| 21. Request No. 22-23671
from CGY Martin, LLC,
dba Club Vegas Star,
Dispenser General license
(Categories No. 2 and 4 –
Nudity; and Hostess),
815 Keeaumoku Street
(E0198) | Requesting approval of a payment
plan for outstanding fines

(Continued from August 12, 2021) |
|---|--|

Appearing on behalf of the licensee in this matter was its authorized representative, Ms. Michelle Trinh.

[5:46:44 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23671 from CGY Martin, LLC, be approved, and that \$1,000 be paid on October 1, 2021 and then \$250 on the 1st of each month until paid off. Motion was unanimously carried, 4:0.]

[5:48:50 p.m.]

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| 22. Request No. 22-23683
from LP Butterfly LLC, dba
Margaritas, Restaurant
General license (Category
No. 2 – Live Entertainment
or Recorded Music and
Dancing), 808 Sheridan
Street (R1257) | Requesting approval to temporarily
increase its licensed premises from
11:00 a.m. to 11:00 p.m. (daily) from
Friday, August 20, 2021 to Tuesday,
May 31, 2022

(For additional seating due to
COVID-19 spacing guidelines) |
|--|---|

Appearing on behalf of the licensee in this matter was its authorized representative, Mr. Lawrence Ho.

[5:50:32 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23683 from LP Butterfly LLC be approved. Motion was unanimously carried, 4:0.]

REQUESTS: (CONT.)

[5:50:52 p.m.]

23. Request No. 22-23694 from 939 Entertainment LLC, dba Club 939, Dispenser General license (Categories No. 2 & 4 – Nudity; and Hostess), 939 Keeaumoku Street (E0270)

Motion for the following:

- 1) Reconsideration of Decision and Order for LCV 20-0096 relating to the one-month suspension of License No. E0270; and
- 2) Stay of enforcement of Decision and Order for LCV 20-0096 relating to the one-month suspension of License No. E0270 pending the Liquor Commission of the City and County of Honolulu's consideration of licensee's Motion for Reconsideration

(Adjudication hearing held on June 24, 2021 (Suspension period set from August 7, 2021 through September 5, 2021))

(Decision & Order adopted on July 15, 2021; served on July 23, 2021)

(Continued from August 12, 2021)

Appearing on behalf of the licensee in this matter was its attorney, Mr. Shaun Mukai.

[5:55:14 – 6:10:49 p.m.] (Executive Session)

[It was moved by Minn and seconded by Lee that the Commission recess from regular session and enter into executive session. Motion was unanimously carried, 4:0. Whereupon, the Commissioners and Counsel Wong exited the hearings room.]

[SEE EXECUTIVE SESSION MINUTES]

[There being no further business in executive session, the Commission adjourned from executive session held in an office of the Liquor Commission and returned to the hearings room to resume proceedings in regular session.]

REQUESTS: (CONT.)

AFTER EXECUTIVE SESSION (Cont.)

[6:11:14 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23694 from 939 Entertainment LLC be denied and that the effective date of the suspension be August 26, 2021 [through September 24, 2021], Motion was unanimously carried, 4:0.]

[6:12:15 p.m.]

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| 24. Request No. 22-23713
from KSLR LM, LLC, dba
Outrigger Reef, Hotel
General license,
2169 Kalia Road (L0003) | Requesting extension of time, to
September 5, 2022, for its final
inspection of permanent alterations
made to premises

(Alterations were approved on
March 5, 2021) |
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Appearing on behalf of the licensee in this matter was its attorney, Mr. Robert Ueoka; and its senior vice president, Mr. Scott Miyasato.

[6:13:07 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23713 from KSLR LM, LLC, be approved. Motion was unanimously carried, 4:0.]

OTHER BUSINESS:

[6:13:24 p.m.]

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| 25. Request No. 22-23723
from Ms. Debbie
Eichelberger | Requesting to be recognized by
Liquor Commission as authorized
agent for Ruma Spear LLC, dba
Arnold's Beach Bar & Grill (E1431) |
|---|--|

Ms. Debbie Eichelberger appeared on behalf of Ruma Spear LLC, dba Arnold's Beach Bar & Grill.

[Item No. 25 was taken up at a latter part of the agenda. See page 19.]

ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER:

[6:14:55 p.m.]

- | | | |
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| 26. | Di's Karaoke
(LCV 20-0231)
(E1298) | For adoption of Findings of Fact,
Conclusions of Law, Decision and
Order |
| 27. | Harbor Pub Inc.
(LCV 19-0251)
(E1523) | For adoption of Decision and Order |
| 28. | Harbor Pub Inc.
(LCV 21-0160)
(E1523) | do. |
| 29. | Pandora Café
Karaoke/Bar & Grill
(LCV 19-0383)
(R0904) | do. |
| 30. | Pandora Café
Karaoke/Bar & Grill
(LCV 20-0046)
(R0904) | do. |
| 31. | Romano's Macaroni Grill
(LCV 19-0433)
(R0756) | do. |
| 32. | Siam Paradise Restaurant
and Sports Pub
(LCV 19-0313)
(E1453) | do. |
| 33. | Siam Paradise Restaurant
and Sports Pub
(LCV 20-0039)
(E1453) | do. |
| 34. | Siam Paradise Restaurant
and Sports Pub
(LCV 20-0221)
(E1453) | do. |

ADOPTION OF DECISION AND ORDER: (CONT.)

35. Siam Paradise Restaurant
and Sports Pub
(LCV 21-0071)
(E1453)

For adoption of Decision and Order

[6:14:59 p.m.]

[It was moved by Minn and seconded by Lee that the foregoing Findings of Fact, Conclusions of Law, and Decision and Orders, agenda Items No. 26 to 35, each dated August 19, 2021, be adopted by the Commission. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS:

[6:15:35 p.m.]

[Agenda Item No. 36]

IN THE MATTER OF THE LICENSE OF:

KALANI CORP.

dba CINDY'S PLACE

1610 Kalani Street

Honolulu, Hawaii 96817

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 21-0088

Charge 1: On or about January 7, 2021 at 20:34 hours, in the City and County of Honolulu, State of Hawaii, Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises, in violation to Rule 3-84-72.2 of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 2: On or about January 7, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

No one appeared on behalf of the corporate licensee in this matter.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[Item No. 36 was continued to latter part of the agenda. See page 30.]

ADJUDICATION HEARINGS: (CONT.)

[6:16:37 p.m.]

[Agenda Item No. 37]

IN THE MATTER OF THE LICENSE OF:

KALANI CORP.

dba CINDY'S PLACE

1610 Kalani Street

Honolulu, Hawaii 96817

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 21-0189

Charge 1: On or about April 22, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-04, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended Order Implementing Tier 3, dated March 24, 2021, in violation of Section 281-38 of the Hawaii Revised Statutes.

No one appeared on behalf of the corporate licensee in this matter.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[Item No. 37 was continued to the later part of the agenda. See page 30.]

OTHER BUSINESS: (CONT.)

[Other Business, Item No. 25, is continued from page 15.]

[6:17:30 p.m.]

Ms. Debbie Eichelberger appeared on behalf of Ruma Spear LLC, dba Arnold's Beach Bar & Grill.

[6:18:46 p.m.]

[It was moved by Minn and seconded by Lee that Request No. 22-23723 from Ms. Debbie Eichelberger be approved. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:19:18 p.m.]

[Agenda Item No. 38]

IN THE MATTER OF THE LICENSE OF:

HHOC, LLC

dba THE EQUUS HOTEL

1696 Ala Moana Boulevard

Honolulu, Hawaii 96815

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 21-0020

Charge: On or about December 31, 2020, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its authorized representative, Mr. Devon Dailey.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:20:18 p.m.]

[It was moved by Miyashiro and seconded by Lee that the plea of no contest by the licensee of The Equus Hotel to the violation contained in LCV 21-0020 be accepted. Motion was unanimously carried, 4:0.]

[6:21:17 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of The Equus Hotel pay a fine of seven hundred fifty dollars (\$750) as a penalty for said violation contained in LCV 21-0020. Motion was unanimously carried, 4:0.]

[6:21:39 p.m.]

IN THE MATTER OF THE LICENSE OF:

KALAPAWAI RESTAURANTS, INC.
dba KALAPAWAI CAFE & DELI - KAPOLEI
711 Kamokila Boulevard
Kapolei, Hawaii 96707

)
)
) STATUTORY PROCEED-
) INGS TO SUSPEND OR
) REVOKE LICENSE OR
) ASSESS AND COLLECT
) A PENALTY
) LCV 21-0073

[6:22:28 p.m.]

[6:25:28p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Kalapawai Cafe & Deli – Kapolei pay a fine of five hundred dollars (\$500) as a penalty for said violation contained in LCV 21-0073. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:25:51 p.m.]

[Agenda Item No. 40]

IN THE MATTER OF THE LICENSE OF:

KONA BREWERY LLC
dba KONA BREWERY LLC
7192 Kalanianaʻole Highway
Honolulu, Hawaii 96825

)
)
) STATUTORY PROCEED-
) INGS TO SUSPEND OR
) REVOKE LICENSE OR
) ASSESS AND COLLECT
) A PENALTY
) LCV 21-0076

Charge: On or about December 30, 2020, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its general manager, Mr. Scott Alexander.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:26:59 p.m.]

[It was moved by Miyashiro and seconded by Lee that the plea of no contest by the licensee of Kona Brewery LLC to the violation contained in LCV 21-0076 be accepted. Motion was unanimously carried, 4:0.]

[6:31:07 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Kona Brewery LLC be issued a letter of reprimand as a penalty for said violation contained in LCV 21-0076. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:31:25 p.m.]

[Agenda Item No. 41]

IN THE MATTER OF THE LICENSE OF:

J.A. SOS, INC.

dba LOBSTER KING

1380 S. King Street

Honolulu, Hawaii 96814

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 21-0034

Charge 1: On or about January 8, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

Charge 2: On or about January 8, 2021 a 23:48 hours, in the City and County of Honolulu, State of Hawaii, Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises, in violation of Rule 3-84-72.2 of the Rules of the Liquor Commission of the City and County of Honolulu.

No one appeared on behalf of the corporate licensee in this matter.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:31:39 p.m.]

[It was moved by Miyashiro and seconded by Lee that the adjudication hearing for Lobster King, LCV 21-0034 be continued to Thursday, October 7, 2021. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:31:57 p.m.]

[Agenda Item No. 42]

IN THE MATTER OF THE LICENSE OF:

HOSHINO RESORTS HAWAII LLC

dba THE SURFJACK

412 Lewers Street

Honolulu, Hawaii 96815

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 21-0032

Charge: On or about December 31, 2020, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The licensee was represented in this matter by its attorney, Mr. Terrence Lee; and its general manager, Ms. Lynette Eastman.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:32:27 p.m.]

[It was moved by Miyashiro and seconded by Lee that the plea of no contest by the licensee of The Surfjack to the violation contained in LCV 21-0032 be accepted. Motion was unanimously carried, 4:0.]

[6:36:09 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of The Surfjack pay a fine of five hundred dollars (\$500) as a penalty for said violation contained in LCV 21-0032. Motion was unanimously carried, 4:0.]

[6:36:30 p.m.]

IN THE MATTER OF THE LICENSE OF:

)
)
) STATUTORY PROCEED-
) INGS TO SUSPEND OR
) REVOKE LICENSE OR
) ASSESS AND COLLECT
) A PENALTY
) LCV 21-0089

Charge 2: On or about January 30, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:37:07 p.m.]

[It was moved by Miyashiro and seconded by Lee that the plea of no contest by the licensee of Sushi Ginza Onodera to the violations contained in Charges 1 and 2, LCV 21-0089, be accepted. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:38:26 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Sushi Ginza Onodera pay a fine of five hundred dollars (\$500) each for Charges 1 and 2, plus an additional one hundred fifty dollars (\$150) for Charge 2 [\$10/minute past closing time], for a total fine of one thousand one hundred fifty dollars (\$1,150), as a penalty for said violations contained in LCV 21-0089. Motion was unanimously carried, 4:0.]

[6:39:32 p.m.]

[Agenda Item No. 44]

IN THE MATTER OF THE LICENSE OF:)
)
YUN IM, INC.) STATUTORY PROCEED-
dba WAIPAHU LOUNGE) INGS TO SUSPEND OR
94-911 D Farrington Highway) REVOKE LICENSE OR
Waipahu, Hawaii 96797) ASSESS AND COLLECT
) A PENALTY
) LCV 21-0085

Charge: On or about January 23, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-31, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended and Restated Order Implementing Tier 2, dated December 23, 2020, in violation of Section 281-38 of the Hawaii Revised Statutes.

The corporate licensee was represented in this matter by its operations manager, Mr. Joe Vaivai.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:40:04 p.m.]

[It was moved by Miyashiro and seconded by Lee that the plea of no contest by the licensee of Waipahu Lounge to the violation contained in LCV 21-0085 be accepted. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:41:24 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Waipahu Lounge pay a fine of five hundred dollars (\$500) as a penalty for said violation contained in LCV 21-0085. Motion was unanimously carried, 4:0.]

[Agenda Item No. 45]

IN THE MATTER OF THE LICENSE OF:

LIM GARDEN, INC.

dba CHO GA JIP

825 Keeaumoku Street, #111

Honolulu, Hawaii 96814

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 21-0158

Charge 1: On or about March 27, 2021, in the City and County of Honolulu, State of Hawaii, Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-04, COVID-19 ([Novel Coronavirus]) Honolulu's COVID-19 Recovery Framework: Second Amended Order Implementing Tier 3, dated March 24, 2021, in violation of Section 281-38 of the Hawaii Revised Statutes.

Charge 2: On or about March 27, 2021, in the City and County of Honolulu, State of Hawaii, Licensee was found to have made physical alterations within its licensed premises, to wit, a storage closet was added where a hallway had once been, without the prior written approval of the Liquor Commission, in violation of Rule 3-83-62(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 3: On or about March 27, 2021, in the City and County of Honolulu, State of Hawaii, Licensee had some form of music, dancing, and/or entertainment, including but not limited to electronic gaming devices, card playing and table games—to wit, electronic gaming devices—on the licensed premises, without prior authorization or approval from the Liquor Commission, in violation of Rule 3-82-47.1(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 4: On or prior to March 27, 2021, in the City and County of Honolulu, State of Hawaii, Licensee used a trade name, to wit, Cho Ga Jib, without the prior approval of the Commission, in violation of Rule 3-81-17.59 of the Rules of the Liquor Commission of the City and County of Honolulu.

ADJUDICATION HEARINGS: (CONT.)

Charge 5: On or about March 27, 2021, Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee, Syrus-Isaiah Markham-Faumui, when that employee was on duty, in violation of Rule 3-82-38.4(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

The corporate licensee was represented in this matter by its attorney, Mr. Keith Kiuchi.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

[6:42:16 p.m.]

[It was moved by Miyashiro and seconded by Lee that the adjudication hearing for Cho Ga Jip, Charges 1 through 5, LCV 21-0158, be continued to the next available date. Motion was unanimously carried, 4:0.]

ADJUDICATION HEARINGS: (CONT.)

[6:42:36 p.m.]

[Agenda Item No. 46]

IN THE MATTER OF THE LICENSE OF:

LIM GARDEN, INC.

dba CHO GA JIP

825 Keeaumoku Street, #111

Honolulu, Hawaii 96814

)

)

) STATUTORY PROCEED-

) INGS TO SUSPEND OR

) REVOKE LICENSE OR

) ASSESS AND COLLECT

) A PENALTY

) LCV 19-0315

Charge 1: On or about August 31, 2019, in the City and County of Honolulu, State of Hawaii, Licensee permitted the sale, service or consumption of liquor on or within the licensed premises before or after the hours established by the Liquor Commission, to wit, at approximately 04:38 a.m., in violation of Rule 3-82-38.20(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 2: On or about August 31, 2019, in the City and County of Honolulu, State of Hawaii, Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within the licensed premises before or after the hours established by the Liquor Commission, to wit, at approximately 04:38 a.m., in violation of Rule 3-82-38.20(b) of the Rules of the Liquor Commission of the City and County of Honolulu.

Charge 3: On or about August 31, 2019, in the City and County of Honolulu, State of Hawaii, illicit or illegal drugs were observed in plain view on the licensed premise, in violation of Rule 3-84-78.05(a) of the Rules of the Liquor Commission of the City and County of Honolulu.

(Continued from May 20, 2021)

[History: 3/11/21, 5/20/21]

The corporate licensee was represented in this matter by its attorney, Mr. Keith Kiuchi.

Ms. Denise W. M. Wong, deputy corporation counsel, appeared as advisor to the Commission.

Ms. Page C. K. Ogata, deputy corporation counsel, appeared as liquor law prosecutor on behalf of the City and County of Honolulu.

ADJUDICATION HEARINGS: (CONT.)

[6:42:51 p.m.]

[It was moved by Miyashiro and seconded by Lee that the adjudication hearing for Cho Ga Jip, Charges 1 through 3, LCV 19-0315, be continued to the next available date. Motion was unanimously carried, 4:0.]

[6:43:36 p.m.]

[Continued from page 18. Recalling Item No. 36.]

No one appeared on behalf of the corporate licensee in this matter.

[6:44:04 p.m.]

[It was moved by Miyashiro and seconded by Lee that a default judgment be entered against the licensee of Cindy's Place for its nonappearance in this matter, LCV 21-0088. Motion was unanimously carried, 4:0.]

[6:44:53 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Cindy's Place pay a fine of five hundred dollars (\$500) each for Charges 1 and 2 as a penalty for said violations contained in LCV 21-0088. Motion was unanimously carried, 4:0.]

[6:45:02 p.m.]

[Continued from page 19. Recalling Item No. 37.]

No one appeared on behalf of the corporate licensee in this matter.

[6:45:36 p.m.]

[It was moved by Miyashiro and seconded by Lee that a default judgment be entered against the licensee of Cindy's Place for its nonappearance in this matter, LCV 21-0189. Motion as unanimously carried, 4:0.]

[6:45:56 p.m.]

[It was moved by Miyashiro and seconded by Lee that the licensee of Cindy's Place pay a fine of five hundred dollars (\$500), plus three hundred seventy dollars (\$370) [\$10/minute past closing time] for a total fine of eight hundred seventy dollars (\$870) as a penalty for said violation contained LCV 21-0189. Motion was unanimously carried, 4:0.]

OTHER BUSINESS:

[6:46:30 p.m.]

47. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

[No action taken on Item No. 47]

ADJOURNMENT:

[6:46:59 p.m.]

There being no further business before the Commission, the meeting was adjourned by the Interim Chairperson at 6:46 p.m.

The Commission will reconvene on Thursday, August 26, 2021, at 4 p.m.

LIQUOR COMMISSION
CITY AND COUNTY
OF HONOLULU



FRANKLIN DON PACARRO, JR.
Administrator

I certify that the foregoing is a true and correct summary of the proceedings, prepared to the best of my ability, of the meeting held on Thursday, August 19, 2021.

for Zandra D. Augustino
Gloria C. Takara
Hearings Reporter

10/29/21
Date